

REMARKS

Applicants have received and carefully reviewed the Office Action of the Examiner mailed May 2, 2008 wherein claims 1-24 are pending. Claims 1-16 have been rejected, and claims 17-23 are presently withdrawn from consideration. Claim 25, which represents claim 14 rewritten in independent form has been added. No new matter has been added. Favorable consideration of the following remarks is respectfully requested.

Applicants thank the Examiner for indicating that claim 14 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. New claim 25 corresponds to dependent claim 14 and all intervening claims.

Applicants respectfully traverse the Examiner's rejection of claims 1-8, 10-12, 15-16, and 24 under 35 U.S.C §103(a) as being unpatentable over Bartels (US 5,927,047).

Independent claim 1 recites:

1. A banding system for piled products, such as securities, banknotes, checks and other similar documents comprising:
a machine frame,
a band feed mechanism disposed on said machine frame for feeding band material from a supply roll,
means for forming a loop with said band material around the products to be banded,
welding means to close said loop and
cutting means for cutting said band material,
said means for forming the loop comprising transporting means for transporting the band material around the product to be banded and
vacuum means connected to the transporting means for pressing the band material against the transporting means,
wherein said means for forming the loop are movable with respect to the machine frame between an operating position where said means for forming the loop are in contact with said band feed mechanism to perform the banding operation and an open position where said means for forming the loop are displaced away from the band feed mechanism to create an opening therebetween allowing a transfer of products to be banded between the band feed mechanism and the means for forming the loop.

One feature of the claimed invention is a banding system that is configured for banding piled products such as securities, banknotes, checks and other similar documents. Bartels does not describe or suggest such a system. Rather, Bartels describes a system for applying a wrapping around a cylindrical roll of bags.

Bartels describes a device including a wrapping unit (4) for winding a web section (9) round a roll of bags (13) in a winding station. A unit (1) feeds in a paper web (7), which unit (1) is controlled such that a suitable length of the paper web (7) is propelled through a cutting unit (2) to be cut into a web section (9) (see Figure 3 and column 3, lines 36 to 42). An arm (10) that is moveable in a direction perpendicular to the feeding direction of the paper web is adapted to convey the web section (9) from the cutting unit (2) to the wrapping unit (4). On its way from the cutting unit (2) to the wrapping unit (4), the web section (9) passes a gluing unit (not shown) which is adapted to apply a glue thread to the rear end portion, as seen in the feeding direction, of the passing web section (9).

In operation, a roll of bags (13) is fed laterally into the wrapping unit (4), whereupon the roll of bags (13) is arranged within the belt loops (11) and on the support rollers (12) as shown in Figure 4. A web section (9) coming from the feed unit (1) is placed on the feeder web (17) in front of the roll of bags (13) and the web section (9) is sucked towards the belts (11) under the action of the negative pressure generated by the suction box. The belt-guiding means (14) are then pivoted in the direction of the belts (11) such that the latter are guided along a path round a substantial part of the circumference of the roll of bags (13) towards the feeder web (17); see Figure 5. The belts (11) are then driven clockwise, thereby driving the roll of bags (13) into rotation (as indicated by the arrow in Figure 6) together with the web section (9). As a result, the web section (9) is wound round the roll of bags (13) to form a close wrapping.

One of skill in the art will appreciate that an essential aspect of the device disclosed by Bartels is that the products to be provided with the wrapping must be cylindrical. This is indeed necessary as wrapping of the products is ensured by driving the products into rotation together with the web section (9) as explained above. This demonstrates that the Bartels device is not suitable for banding piled products as claimed, such as piles of securities, banknotes, checks and the like.

Another claimed feature is that the means for forming the loop are movable between an operating position and an open position. When in the operating position, the means for forming the loop are in contact with the band feed mechanism. This is a claimed feature expressly absent from the cited reference.

Bartels discloses a means for forming the loop that includes the endless belts (11), belt-guiding means (14) and wedge-shaped guiding lugs (16). If one were to equate the feed unit (1) of Bartels to the band feed mechanism as argued by the Examiner (a point not conceded by Applicants), it will be appreciated that the means for forming the loop (11, 14, 16) of Bartels are **not** brought into contact with the unit (1). Indeed, it will be appreciated that the sole element to pass between the means for forming the loop (11, 14, 16) and the flat feeder web (17) is the web section (9) and that there always exists an opening for allowing passage of the web section (9) between the means for forming the loop (11, 14, 16) and the flat feeder web (17). In other words, the means for forming the loop (11, 14, 16) is never actually brought into contact with the flat feeder web (17).

Another claimed feature is that when the means for forming the loop are in the open position, the means for forming the loop are displaced away from the band feed mechanism to create an opening therebetween allowing a transfer of products to be banded between the band feed mechanism and the means for forming the loop. This is another claimed feature expressly absent from the cited reference.

Bartels does not disclose that the products to be wrapped, namely the roll of bags (13), are in any way transferred through an opening existing between the means for forming the loop (11, 14, 16) and the feed unit (1) or the flat feeder web (17), which opening is created by moving the means for forming the loop (11, 14, 16) away from the feed unit (1) or the flat feeder web (17). Rather, the roll of bags (13) is simply transferred laterally (i.e., perpendicularly to the winding plane) through a permanent opening provided in the wrapping unit (4). The only element that is actually transferred between the feed unit (1) or the flat feeder web (17) and the means for forming the loop (11, 14, 16) is the web section (9).

For at least these reasons, Bartels does not disclose or suggest each and every feature of claim 1. Further, there is no motivation, suggestion, or other reason for one of ordinary skill in the art to modify the device of Bartels to arrive at the device as currently claimed. Therefore, Applicants submit that claim 1 is in condition for allowance. Applicants submit that claims 2-8, 10-12, 15-16, and 24 are also in condition for allowance as they depend from claim 1 and add significant limitations to further distinguish them from the prior art. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claim 13 under 35 U.S.C. §103(a) as unpatentable over Bartels (US 5,927,047) in view of Langemaat (US 6,604,345). Claim 1, from which claim 13, depends is distinguished above as patentable over Bartels.

Langemaat discloses a device for applying a banderole around one or more products. The device of Langemaat discloses the use of an electrostatic attraction between the band material and the conveyor unit. Langemaat does not disclose means for forming the loop are in contact with said band feed mechanism in the operating position or the means for forming the loop are displaced away from the band feed mechanism in order to create an opening between the means for forming the loop and the band feed mechanism.

Thus, Langemaat is not believed to remedy the noted shortcomings of Bartels, and claim 1 is believed patentable over both references. Claim 13 includes the elements of claim 1 and thus is patentable for at least the same reasons. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 8-9 under 35 U.S.C. §103(a) as unpatentable over Bartels (US 5,927,047) in view of Dekker (US 5,755,084). Claim 1, from which claims 8-9 depend, is distinguished above as patentable over Bartels.

Dekker discloses a device for arranging a band of flexible material around one or more products. Dekker does not disclose means for forming the loop are in contact with said band feed mechanism in the operating position or the means for forming the loop are displaced away from the band feed mechanism in order to create an opening between the means for forming the loop and the band feed mechanism.

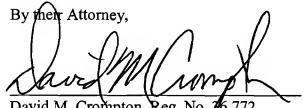
Thus, Dekker is not believed to remedy the noted shortcomings of Bartels, and claim 1 is believed patentable over both references. Claims 8-9 include the elements of claim 1 and thus are patentable for at least the same reasons. Favorable reconsideration is respectfully requested.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,
Hartmut Karl Sauer et al.
By their Attorney,

Date: _____

7/18/08

A handwritten signature in black ink, appearing to read "David M. Crompton", written over a horizontal line.

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